



Student Duty of Care

Children and Young Person Medical Records Policy and Procedures

Policy Introduction

We are committed to meeting our Student Duty of Care obligations.

Purpose

This Policy describes how St Mary's School, Echuca manages children and young person medical records.

St Mary's School, Echuca relies on parents/carers to provide the school with up-to-date medical information about children and young persons.

Without current medical information, the best possible care cannot be provided to each children and young person on an ongoing basis.

Without accurate medical information there is a higher risk of:

- medication being wrongly administered
- children and young person allergies being triggered as a result of incorrect medical treatment or the intake of food to which a children and young person has an allergy
- effectiveness of medical treatment being decreased in medical emergencies.

All staff with access to medical records should be aware of children and young person confidentiality for health records.

Scope

This Policy applies to all staff, volunteers and contractors at the school.

Roles and Responsibilities

Staff Responsibilities

Staff are required to:

- be familiar with the medical conditions of children and young persons in their care
- apply appropriate security to confidential and sensitive records created or received
- ensure that records are stored securely and physical access is restricted.

Policy Statement

St Mary's School, Echuca is committed to the safety and wellbeing of all our children and young persons and to providing proper care notwithstanding existing medical conditions.

It is our policy that:

- children and young person medical information must be provided by parents/carers on enrolment
- children and young person medical records are updated regularly as advised by parents/carers for incorrect, out-of-date, incomplete or misleading information
- children and young person medical records are stored securely to protect against misuse, loss, unauthorised access, modification or disclosure
- information regarding children and young persons' medical conditions is used by the school on an as needed basis to assist in the management of children and young persons ongoing health needs
- access to medical records may be provided to the parents/carers upon request under certain conditions, depending on the age of the children and young person.

Procedures

Collecting Medical Information

At enrolment, parents/carers are required to complete a children and young person medical record form. These forms contain a privacy statement advising parents/carers and children and young persons of the purpose of collection and situations where information will be disclosed.

Medical information collected includes details of a children and young person's:

- immunisation history
- past medical/surgical history, including prior concussions
- mental health
- asthma status
- allergies
- prescription medication
- dietary requirements
- specific medical conditions.

Confidentiality and Use of Medical Information

The confidentiality of medical records must be respected at all times.

Information which is considered necessary for the wellbeing and safety of children and young persons will only be disclosed to relevant staff as needed.

Information will only be shared according to the privacy statement on the children and young person medical record form. These circumstances include where:

- parents/carers provide consent to share the information
- children and young persons who are independent minors provide consent
- there is an imminent threat to the safety or welfare of a children and young person (e.g. potential suicide)
- there is a legislative requirement to share the information (e.g. mandatory reporting of child sexual abuse).

Ongoing Management of Medical Records

On an ongoing basis, the school manages children and young person medical records in the following ways:

- regular reminders are forwarded to parents/carers requesting that they review and update their child's medical information as needed
- parents/carers are required to review and update their child's medical information annually
- parents/carers are required to communicate all updates to their child's medical information as they become aware of the changes
- individual health care plans are developed as required and retained in the children and young person's school file with their medical records
- a record is maintained of all medication administered at the school to children and young persons
- in a medical emergency, after organising medical attention for the children and young person, a record of all actions taken are recorded on the children and young person's file
- medical records are safeguarded via locked storage and password access to computerised records
- records are kept by the school until the children and young person is 25 years of age.

Transcription of Children and Young Person Medical Records

Under no circumstances will staff transcribe any part of a children and young person's medical record to another location.

Access to Records – Children and Young Persons and Parents/Carers

Children and Young Persons and parents/carers wishing to access children and young person medical records should make a request in writing.

Each request for access to medical records will be considered having regard to individual circumstances. For example, access may be denied if the request is from a parent/carer who is subject to a court order.

Children and Young Persons under the age of 18

Where parents/carers request access to their child's medical records the school's response will be guided by their duty of care towards the children and young person and the Privacy Act 1988 (Cth) (Privacy Act).

Parents/carers may be denied access if their child denies them access and the child has the capacity to consent.

The child's capacity to consent is determined on a case-by-case basis by the school based on an assessment of the children and young person's maturity and intelligence to understand what is being proposed. If the school is unsure or it is not practical to make an individual assessment of the children and young person's capacity to understand, then as a general rule, the school may assume that a children and young person over the age of 15 has the capacity to deny consent for their parent/carers to access the children and young person's medical records held by the school.

Where a children and young person denies access to specific elements of the medical records consideration may be given to providing a redacted version of those records.

The school will maintain all original documents and will provide copies if authorisation to access medical records is granted.

Access to Records - External Agencies

If the school receives a request from an external agency for access to a children and young person's medical records, access will only be provided where:

- the children and young person is under 16 years and the children and young person has consented (with sufficient understanding and intelligence to fully understand what is proposed) and/or the children and young person's parents/guardians have consented;
- the children and young person is over 16 and the children and young person has consented; or
- the school is required to do so by law.

Implementation

This Policy is implemented through a combination of:

- staff training
- children and young person and parent/carer education and information
- effective maintenance of children and young person medical records
- effective incident notification procedures
- initiation of corrective actions where necessary.

Breach

Where a staff member breaches this policy, particularly the provisions about confidentiality and transcription of medical records, St Mary's School, Echuca may take disciplinary action.

Source of Obligation

This Policy follows the authority provided in the jurisdictional health records and national privacy legislation.

References

- [OAIC Guide on Privacy Obligations and Children and Young People](#)

Policy Administration

This policy is scheduled for review 3 yearly or more frequently where appropriate. All policies have been reviewed and approved by the relevant Executive Leadership Team member.

Reviewed date: 2025